REMARKS

Claims 1-97, 99, and 101-108 were pending. Claims 1-93 were previously withdrawn from consideration. Claims 94-97, 99, and 101-108 stand rejected. By virtue of this response, no claims have been cancelled, amended, or added. Accordingly, claims 94-97, 99, and 101-108 are currently under consideration. Cancellation and amendment of certain claims is not to be construed as a dedication or abandonment of any unclaimed subject matter by Applicants, and moreover Applicants have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants explicitly reserve the right to pursue prosecution of any subject matter in continuation and/or divisional applications.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

Claim Rejections under 35 USC §102

Claims 94-97, 99 and 101-108 stand rejected under 35 U.S.C. 102(b) as being anticipated by Campbell (U.S. Patent No. 5,932,045).

Applicants respectfully traverse the rejection and submit that Campbell fails to disclose or suggest the features of the present claims. In particular, Campbell fails to disclose or suggest a multilayer article comprising an article having a first layer of at least partially cured adherent "disposed on a first surface of the article," and a second layer of at least partially cured adherent "disposed on a second surface of the article," as recited by claim 94 (Emphasis added).

The Examiner states that Campbell discloses a multi-layer article having "a first surface of at least partially cured first adherent and a second opposite surface of having at least partially cured second adherent (abstract and col. 3, lines 9-12)." The cited portion of Campbell, however, discloses merely that adherent is disposed on "an inner surface of one or both substrates," and thereafter "moving the substrates such that both contact the adherent." (Col. 3, lines 1-12; see also, Abstract). In contrast to claim 94, the adherent 28 of Campbell is disposed between opposing inner

surfaces of substrates 24 and 26, whereas claim 94 recites that a first layer of adherent is disposed on a first surface of an article of the multilayer article and the second layer of adherent is disposed on a second surface of the article. For example, the first and second layers of adherent (as recited by claim 94) are disposed on first and second surfaces of an article of the multilayer article (see, e.g., the specification at page 19, lines 11-19; page 20, lines 13; and Figs. 5 and 6A-E). Accordingly, Campbell discloses, at best, disposing two layers of adherent on two opposing surfaces of different substrates, which does not disclose or suggest disposing two layers of adherent on two surfaces of a single article as recited by claim 94.

Accordingly, the rejection should be withdrawn and claim 94 allowed. Claims 95-97, 99, and 101-107 depend from claim 94 and should be allowable for at least similar reasons as claim 94.

Claim 108 includes similar features as claim 94 discussed above. In particular, a first layer of adherent disposed on a first surface of the article and a second layer of adherent disposed on a second surface of the article. Accordingly, claim 108 and dependent claims 109 and 110 are allowable over Campbell for at least similar reasons as claim 94.

Applicants further submit that Campbell fails to disclose or suggest a multilayer article including an article with first and second layers of at least partially cured adherent on first and second surfaces of the article, and a substrate that "has at least one hole," as presently recited by claim 94. The Examiner states, among other things, that the "substrate can have at least one hole as shown in figure-4B," and with reference to Figure 6C, "holder (20), in combination with the layers (24), (26) and (28) forms the claimed multi-layer article as claimed." Applicants respectfully disagree. Figure 6C of Campbell discloses holder 20 adjacent substrate 24, where substrate 24 forms a multilayer article with adherent 28 and substrate 26 between opposing holder 22 (see, e.g., col. 7, line 1 to col. 8, line 21). The Examiner appears to be ignoring the recited relationship of the article, first and second layer of adherents, and substrate as recited by claim 94. In particular, the combination of holder 20 and layers 24, 26, and 28 discloses only a single layer of adherent and fails to disclose or suggest a multilayer article having an article with a first layer of adherent

disposed on a first surface of the article and a second layer of adherent disposed on the second surface of the article as recited by claim 94. For example, the combination of 20, 24, 26, and 28 of Campbell does not disclose a first and second layer of at least partially cured adherent. Further, even if the Examiner takes the position that a first layer of adherent is disposed on the inner surface of substrate 24 and a second layer of adherent is disposed on the inner surface of substrate 26, the first and second layers are not on opposite sides of an article as recited by claim 94. Accordingly, multilayer structure of Figure 6C fails to disclose the features of claim 94 and the rejection should be withdrawn.

With regard to claims 103 and 104, the Examiner states "[i]n col. 12, lines 60-64, Campbell teaches that the article is typically 'significantly free' of [sic] from divots and peaks, which would infer to the presence of some relief pattern or diffraction grating roughness." Applicants respectfully disagree. The portion cited by the Examiner states:

> An initial substrate will typically have surface flatness and transmission flatness values of about 0.1 to about 10 waves/cm, and a bow of about 0.1 or less. Commercially available display glass exhibits these properties, and is typically free from significant divots and peaks, meaning scratch and dig of 40/20 or better. (Col. 12, lines 57-63)

Applicants respectfully submit that the Examiner has improperly inferred the presence of a relief pattern or diffraction grating from Campbell without sufficient evidence or rationale (See, e.g., MPEP § 2112). The portion of Campbell reproduced herein and relied upon by the Examiner merely includes a desired source of a substrate, for example, commercially available display glass, which has a desired surface flatness and transmission flatness, which is typically free from significant divots and peaks. This portion of Campbell, however, read in context, fails to disclose (and appears to teach away from) a substrate including a surface relief pattern or diffractive grating.

The Examiner further states under the heading "Response to Arguments" that "it is noted applicant has failed to show that the surface peaks divots present in Campbell would not function as a relief pattern or diffraction grating." Applicants respectfully submit that the burden of proof under a rejection relying on an alleged inherent disclosure of a reference is on the Examiner. (See, MPEP

§ 2112, IV). The burden is not on Applicant to show that surface peaks and divots allegedly present in Campbell could not perform the function of a relief pattern or diffraction grating; rather, "[t]o establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.... The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999) (Emphasis added). In this instance, the Examiner appears to be relying on the grounds that the divots and peaks could function as a relief pattern or diffraction grating – this is clearly insufficient to maintain the rejection. Accordingly, the Examiner has not provided sufficient evidence or rationale that makes clear that the missing features (i.e., relief pattern or diffraction grating) are necessarily present in the disclosure of Campbell of surface peaks and divots.

Therefore, Applicants submit Campbell does not disclose or suggest "the outer surface of the substrate contains a surface relief pattern" or "the inner surface of the substrate contains a surface relief pattern or a diffractive grating," as recited in claims 103 and 104 respectively, and the rejection should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 495812000300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 28, 2005

Respectfully submitted,

By _____

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